

Message Text

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FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS

UNCLAS STATE 161720

INFORM CONSULS

E.O. 11652: N/A

TAGS:ETRD,

SUBJECT: U.S. REGULATIONS ON TRADE IN ENDANGERED SPECIES,
AND CALIFORNIA STATE REGULATIONS

REF: A) SAN JOSE 3059 (NOTAL) B) STATE A-2221 C) HONG
KONG 6978 (NOTAL)

1. IN THE FEDERAL REGISTER OF FEBRUARY 22, 1977, THE
DEPARTMENT OF THE INTERIOR PUBLISHED REGULATIONS GOVERNING
THE IMPLEMENTATION BY THE UNITED STATES OF THE CONVENTION
ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD
FAUNA AND FLORA. AMONG OTHER THINGS THESE REGULATIONS
REQUIRE THAT ALL COUNTRIES, WHETHER THEY ARE PARTIES TO
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THE CONVENTION OR NOT, PROVIDE DOCUMENTS WHICH SHOW THAT
THEIR EXPORTS TO THE UNITED STATES OF WILDLIFE OR PLANTS
LISTED IN APPENDIX I, II, OR III OF THE CONVENTION PLANTS
NOT CONTRIBUTING TO THE EXTINCTION OF THESE SPECIES.
THESE DOCUMENTS MUST BE ISSUED BY A GOVERNMENT OFFICIAL,
NOT A TRADE ASSOCIATION.

2. SECTION 23.14 OF THE U.S. REGULATIONS STATES QUOTE
SUCH DOCUMENTS MAY BE IN THE FORM OF AN EXPORT OR IMPORT
PERMIT, A LETTER FROM THE PROPER AUTHORITY, OR ANY OTHER
FORM THAT CLEARLY INDICATES THE NATURE OF THE DOCUMENT.
SUCH DOCUMENTS MUST:

(A) BE ISSUED BY AN OFFICIAL OF THE COUNTRY RESPONSIBLE
FOR AUTHORIZING THE EXPORT OF SUCH WILDLIFE OR PLANTS;

(B) SPECIFY THE SPECIES (ORTAXA TO THE RANK LISTED IN
APPENDIX I, II, OR III) AND GIVE THE NUMBERS OF WILDLIFE
OR PLANTS COVERED BY THE DOCUMENT; AND

(C) CONTAIN THE FOLLOWING STATEMENT OR ITS EQUIVALENT:
I, (NAME OF CERTIFYING OFFICIAL) HEREBY CERTIFY THAT THE
SHIPMENT OF WILDLIFE OR PLANTS COVERED BY THIS DOCUMENT
IS IN ACCORDANCE WITH THE LAWS OF (COUNTRY), WILL NOT
BE DETRIMENTAL TO THE SURVIVAL OF THE SPECIES IN THE WILD,
AND, IF LIVING, WILL BE TRANSPORTED IN A MANNER WHICH WILL
MINIMIZE THE RISK OF INJURY, DAMAGE TO HEALTH, OR CRUEL
TREATMENT. END QUOTE.

3. THE CALIFORNIA ATTORNEY GENERAL'S OFFICE HAS INFORMED

THE DEPARTMENT THAT SINCE JUNE 14, 1976, IT HAS BEEN
ILLEGAL TO POSSESS WITHIN CALIFORNIA, WITH THE INTENT
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TO SELL WITHIN CALIFORNIA, ANY PART OR PRODUCT OF AN
ASIAN ELEPHANT. THE PROVISIONS OF THE CALIFORNIA
ENDANGERED SPECIES LEGISLATION PERTAINING TO THE
PROTECTION OF AFRICAN ELEPHANTS ARE MORE COMPLEX. IF
IVORY OR OTHER PRODUCTS OF AFRICAN ELEPHANTS WERE
IMPORTED PRIOR TO JANUARY 1, 1977, THEY MAY CONTINUE TO
BE SOLD OR OFFERED FOR SALE. AFRICAN ELEPHANT PRODUCTS
IMPORTED AFTER JANUARY 1, 1977 COULD BE SOLD OR POSSESSED
WITH THE INTENT TO SELL UNTIL JUNE 1, 1977. SINCE JUNE
1, 1977 IT HAS BEEN ILLEGAL UNDER CALIFORNIA LAW TO
IMPORT ANY AFRICAN ELEPHANT PRODUCTS FOR COMMERCIAL
PURPOSES.

4. COPIES OF THE DEPARTMENT OF THE INTERIOR'S
REGULATIONS HAVE BEEN SENT TO POSTS BY AIRGRAM (REF B).
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SPECIES PROTECTION, TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770766/aaaacfai.tel
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